IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

Bail Appl..No. 3727 of 2007()

(CRL. M.P. NO. 1711/2007 of 1ST ADDL. SESSIONS COURT, KOLLAM
CRIME NO. 407/2007 of KOLLAM EAST POLICE STATION)

PETITIONER/2ND ACCUSED

ANILKUMAR, AGED ABOUT 28 YEARS OLD,
S/O. SASIDHARAN PILLAI, BHAVANI NIVAS,
VELIYAM, VELIYAM VILLAGE, KOTTARAKKARA, KOLLAM.

BY ADV. SRI.V.JAYAPRADEEP

RESPONDENTS:

STATE OF KERALA, REP. BY THE
SUB-INSPECTOR OF POLICE, KOLLAM EAST POLICE
STATION, THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3727 of 2007

Dated this the 20th day of June, 2007

ORDER

Application for regular bail. Petitioner is the 2nd accused. He had allegedly transported 7315 litres of spirit in a vehicle on 19.04.2007. He was intercepted and arrested on that date. He continues in custody from that date. The learned counsel for the petitioner submits that the petitioner is innocent. At any rate, a period of 60 days having elapsed from the date of first remand and the final report having not been filed, the petitioner is entitled to bail as right by default, submits the learned counsel for the petitioner. The learned Public Prosecutor accepts that the petitioner is entitled for bail by default under Section 167 Cr.P.C. Investigation having not been completed so far, I am satisfied notwithstanding the gravity of the offence alleged that bail must be granted to the petitioner in these circumstances.

2. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.3 lakhs with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 1 p.m on all Mondays and Fridays until further orders;

iii) The petitioner shall not leave the Sessions divisions of Kollam until further orders without appropriate direction of the learned Magistrate.

(R.BASANT, JUDGE)

rtr/-